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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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|-----------------|-------------|----------------------|---------------------|------------------|

10/766,697

01/27/2004

Robert Frederick

120137.481

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7590

04/30/2008

SEED INTELLECTUAL PROPERTY LAW GROUP PLLC

701 FIFTH AVE

SUITE 5400

SEATTLE, WA 98104

EXAMINER

SHAH, AMEE A

ART UNIT

PAPER NUMBER

3625

MAIL DATE

DELIVERY MODE

04/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|--------------------------|--------------------------------------|---|--|
| Interview Summary | Application No. 10/766,697 | Applicant(s) FREDERICK ET AL. | |
| | Examiner AMEE SHAH | Art Unit 3625 | |

All participants (applicant, applicant's representative, PTO personnel):

(1) JEFFREY A. SMITH. (3)_____.

(2) James A.D. White. (4)_____.

Date of Interview: 4/18/2008.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: _____.

Claim(s) discussed: NONE.

Identification of prior art discussed: NONE.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. White expressed concern regarding the propriety of the Final status and whether any attempts to perfect the 131 Affidavit would be considered as a seasonable presentation. Mr. Smith indicated that he believed the case was properly made final. However, Mr. Smith agreed to consider the next attempt to perfect the 131 Affidavit as a seasonable presentation (i.e. the Affidavit would be considered on the merits).


(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Jeffrey A. Smith/
Jeffrey A. Smith
SPE, AU 3625

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

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|--|-------------------------|---|--|
| <div>Application Number</div> <div></div> | Application/Control No. | Applicant(s)/Patent under Reexamination | |
| | 10/766,697 | FREDERICK ET AL. | |
| | Examiner | Art Unit | |
| | AMEE SHAH | 3625 | |